

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

23 DEC -6 PM 12:19

UNITED STATES OF AMERICA

v.

CHRISTOPHER ROSS LEFEVER

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CR 107-166

CLERK *M. Abin*
S.D. DIST. OF GA.

O R D E R

Defendant Christopher Ross Lefever has filed a motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A) based upon Amendment 821 to the United States Sentencing Guidelines.

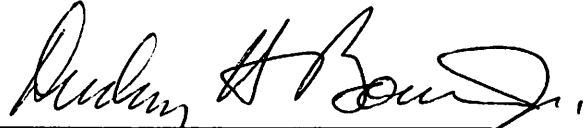
First, Defendant seeks relief under the wrong statutory provision. Rather, 18 U.S.C. § 3582(c)(2) provides the mechanism by which a federal court may modify a sentence if the sentencing range has been subsequently lowered by the Sentencing Commission, after consideration of the factors set forth in 18 U.S.C. § 3553(a).

Second, the Court is presently undertaking a review of cases to which Amendment 821 may apply. While the effective date of this amendment is November 1, 2023, a district court may not order retroactive application of Amendment 821 until February 1, 2024, or later, allowing for the necessary and considerable case review. The Court will not entertain motions initiated by federal defendants until after this time for review has passed.

Upon the foregoing, Defendant's motion for reduction of sentence (doc. 116) is **DISMISSED WITHOUT PREJUDICE**. If Defendant is eligible

for a sentence reduction upon retroactive application of Amendment 821, the Court will consider whether a reduction is appropriate *sua sponte*.

ORDER ENTERED at Augusta, Georgia this 6th day of December, 2023.


UNITED STATES DISTRICT JUDGE